

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
V.)	No. 3:02-CR-130
)	(JORDAN/GUYTON)
MICHAEL A. NOLAN,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

A report and recommendation has been forwarded to the undersigned recommending that this case be certified as complex. Counsel for the defendant was appointed pursuant to the Criminal Justice Act (18 U.S.C. § 3006A) and has filed a motion requesting that this case be declared complex and extended for purposes of court-appointed attorney's fees [Doc. 50].

The report and recommendation points out that the defendant has been convicted of one count of robbery. He was sentenced in May, 2004. In addition to advising the defendant on pretrial matters, counsel moved to withdraw the defendant's first guilty plea, and then he spent a great deal of time working on the defendant's cooperation for a downward departure recommendation in the final plea agreement. Because of the number and unusual nature of the legal issues raised by the defendant, the nature and seriousness of the charge of which the defendant was convicted, and the unique difficulties involved in representing this defendant, it is the conclusion of the report and recommendation that this case meets the definitions of "complex" and "extended" and that excess payments may be necessary to provide fair compensation to counsel.

The Court agrees with the report and recommendation and hereby **ADOPTS** the same. This order adopting the report and recommendation, along with a copy of the report and recommendation approved by the undersigned, shall be forwarded to the United States Court of Appeals for the Sixth Circuit.

IT IS SO ORDERED.

ENTER:

A handwritten signature in black ink, appearing to read "Leon Jordan", is written over a horizontal line.

Leon Jordan
UNITED STATES DISTRICT JUDGE